

IN THE CLAIMS: See Listing of Claims. This listing will replace all prior versions of claims in the application.

REMARKS

The Applicants acknowledge the Examiner's comprehensive Office Action with appreciation. Claims 1-23 remain pending in the application. The Office raises rejections under 35 USC § 112, second paragraph, as well as prior art rejections under 35 USC § 102 and 35 USC § 103.

Claims 2-10, 12-14, 19, and 21-23 are rejected for indefiniteness under 35 USC § 112, second paragraph.

It is the position of the Office that the term "ethylene copolymer" which is recited in Claims 2-6 and 19 is vague and confusing because both the second constituent "ethylene copolymer elastomer" and the third constituent "ethylene acid copolymer" recited in Claim 1 are encompassed by the term "ethylene copolymer."

With the instant Amendment, Claim 1 has been amended to replace the term "ethylene copolymer elastomer" with the language "at least one impact modifier selected from an ethylene copolymer elastomer, which is ...; a styrenic copolymer with maleic anhydride grafting, etc." Support for this amendment may be found at pages 2-5 of the instant specification, and the Applicants respectfully submit that no new matter is introduced by this amendment. Claims 2-6 have also been amended to replace the term "the ethylene copolymer" with the language "an ethylene copolymer elastomer impact modifier." Claim 19 has been amended to recite the limitation "...wherein the impact modifier is an ethylene copolymer elastomer which includes 1 to 20 weight percent of..."

It is the position of the Office that various terms recited in Claims 8, 10 and 12-14 lack sufficient antecedent basis. With the instant Amendment, the claims have been amended to replace the terms rejected by the Office with language which clarifies that the dependent claims properly limit the base claim. Specifically, Claim 8 has

been amended to delete the phrase "interpolymers or elastomers modified with maleic anhydride..." Claim 8 now recites "wherein the styrenic copolymer represents 1 to about 30 weight percent of the blend" which is a further limitation of the styrenic copolymer recited in Claim 7. Claims 10 and 12-14 have been amended to delete the phrases rejected as lacking antecedent basis, and Claims 10, and 12-14, as amended, recite further limitations of the impact modifier recited in Claim 1.

It is the position of the Office that the phrase "all of which may have been modified" in Claim 7 is vague and unclear because it is not clear whether the modification has taken place. With the instant Amendment, Claim 7 has been amended to delete the above-mentioned phrase and to recite "...wherein the impact modifier is a styrenic copolymer with maleic anhydride grafting, wherein the styrenic copolymer is selected from a styrenic-ethylene interpolymers, etc." Support for this amendment may be found at pages 2-3 of the instant specification.

With respect to Claim 19, it is the position of the Office that the phrase "...may include a low molecular weight...or functionalized monomer from about 1 to 20 weight percent" is vague based on the terms "may" as well as "functionalized." The Office states that the term "may" includes those compositions which do not contain "1 to 20 weight percent" rendering the claim scope indefinite. The Office further states that the scope of compositions encompassed by the term "functionalized" is not clear. With the instant Amendment, Claim 19 has been amended to recite "...includes 1 to 20 weight percent of a low molecular weight ionomer wax." Thus, the terms "may" and "functionalized monomer" have been deleted from this claim.

It is the position of the Office that the phrases "such as" and "i.e." recited in Claims 21 and 22 render these claims indefinite. With the instant Amendment, Claims 21 and 22 have been amended to delete the phrases "such as polyaniline"/"such as AMPS" and "i.e., olyel palmitamide, etc.", respectively.

It is the position of the Office that the phrases "when mandated," "molded in color," and "welding capabilities" recited in Claim 23 are vague and confusing because the claim scope encompassed by such terms is not clear. With the instant Amendment, Claim 23 has been amended to delete the above-mentioned phrases. The wording

of Claim 23 has also been amended to clarify the claimed process. The Applicants respectfully submit that the amended wording is supported by the originally filed claims and that no new matter has been introduced by this amendment.

Reconsideration and withdrawal of the indefiniteness rejections under 35 USC § 112, second paragraph, is respectfully requested.

Claims 1-3, 6, 11-15, 18, and 20-23 are rejected under 35 USC § 102(b) as being anticipated by Hausmann (US Patent No. 6,288,156). It is the position of the Office that the thermoplastic polyolefin compositions, comprising a) a blend of polypropylene, an uncrosslinked ethylene propylene copolymer rubber, an ionomeric copolymer of ethylene and an α,β -unsaturated C₃-C₈ carboxylic acid, a copolymer of ethylene and glycidyl acrylate or glycidyl methacrylate; b) an inorganic filler; and c) an uncrosslinked ethylene propylene copolymer rubber grafted with an α,β -unsaturated carboxylic acid or anhydride, disclosed in Hausmann anticipate the instantly claimed polyolefin blend.

Claims 1-6, 11-18, and 20-23 are further rejected for obviousness under 35 USC § 103(a) based on the disclosure of Hausmann in view of Smith, et al. (US Patent No. 6,207,761). The Office states that Hausmann discloses the instantly claimed polyolefin blend as well as a process of using such a polyolefin blend but does not disclose a cross-linked elastomer as a component. The Office goes on to state that Smith, et al. disclose the production of a polymer blend which may include a polypropylene resin, a cross-linked ethylene containing elastomer and a thermoplastic ionomer. The Office concludes that it would have been obvious to one skilled in the art to employ the cross-linked elastomer of Smith, et al. in the composition disclosed in Hausmann to arrive at the instantly claimed polyolefin blend.

The Applicants respectfully submit that Hausmann does not disclose polymer compositions comprising the specific impact modifiers recited in amended Claim 1. Thus, the Applicants respectfully submit that the instantly claimed polyolefin blends as well as the instantly claimed process for using such polyolefin blends are not

anticipated by the disclosure of Hausmann. Reconsideration and withdrawal of the anticipation rejection under 35 USC § 102(b) is respectfully requested.

Moreover, with respect to the obviousness rejection, the Applicants respectfully submit that, since the Hausmann reference does not encompass the instant polyolefin blends (as amended) and Smith, et al. do not disclose the specific impact modifiers claimed in the instant polyolefin blends (as amended), the combined disclosures of these references do not render obvious the instantly claimed polyolefin blends or the process of using such blends. Reconsideration and withdrawal of the obviousness rejection under 35 USC § 103(a) is respectfully requested.

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Accordingly, entry of the present amendment, reconsideration of all grounds of objection and rejection, withdrawal thereof, and passage of this application to issue are all hereby respectfully solicited.

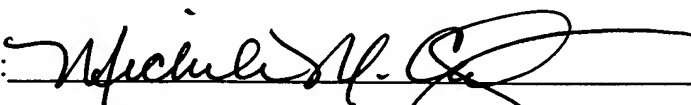
It should be apparent that the undersigned agent has made an earnest effort to place this application into condition for immediate allowance. If she can be of assistance to the Examiner in the elimination of any possibly-outstanding insignificant impediment to an immediate allowance, the Examiner is respectfully invited to call her at her below-listed number for such purpose.

Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

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